

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Licensing and Review, on:

Date: December 7, 2004By Lisa MansurIN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicant(s): Greg T. Stayton et al. Docket No.: 50847.00155
Application No.: 10/722,797 Group Art Unit: 3662
Filing Date: November 26, 2003 Examiner: Bernarre E. Gregory
Title: FORMATION SURVEILLANCE AND COLLISION AVOIDANCE

TRANSMITTAL OF DECLARATION PURSUANT TO 42 U.S.C. § 2457

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

Enclosures

Declaration Pursuant to 42 U.S.C. § 2457
 Copy of the Office Communication mailed November 4, 2004

It is our understanding that no fee is required for this response. If any fees are due in connection with this response, please charge the fees to our Deposit Account No. 19-3878.

Respectfully submitted,

Dated: December 7, 2004By J. J. M.

Allen J. Moss
Reg. No. 38,567

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
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(602) 528-4839
305044

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Date: 12 - 7 - 04

By Lisa Mansur

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicant(s):	Greg T. Stayton et al.	Docket No.:	50847.00155
Application No.:	10/722,797	Group Art Unit:	3662
Filing Date:	November 26, 2003	Examiner:	Bernarre E. Gregory
Title:	FORMATION SURVEILLANCE AND COLLISION AVOIDANCE		

SUPPLEMENTAL DECLARATION PURSUANT TO 42 U.S.C. §2457

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

As a below named inventor, I hereby declare:

The subject patent application is a continuation of U.S. Patent No. 6,683,562, filed on January 11, 2002 by Greg T. Stayton, Kathryn W. Ybarra, and James R. Troxel, which is a continuation-in-part of U.S. Patent No. 6,657,578 filed on July 20, 2001 by Greg T. Stayton, Kathryn W. Ybarra, and James R. Troxel. Greg T. Stayton, Kathryn W. Ybarra, and James R. Troxel (the Inventors) were employees of ACSS from before the date of conception and continue as employees to this day without interruption.

The claimed invention was made pursuant to ACSS proprietary product development and funded in full by ACSS. There is no relationship between the claimed invention and any work under any contract of the National Aeronautics and Space Administration with ACSS (Contract).

The invention claimed in the subject application was not made in the performance of any Contract. The Inventors who made the invention were not employed or assigned to perform research, development, or exploration work under any Contract. The invention is not related to

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the work under any Contract that an inventor was employed or assigned to perform, or within the scope of his employment duties.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this document.

Date: 11-17-04

By Greg T. Stayton

Printed Name: Greg T. Stayton

Title: Inventor

Date: 1 Dec 2004

By Kathryn W. Ybarra

Printed Name: Kathryn W. Ybarra

Title: Inventor

Date: 7 Dec 2004

By James R. Troxel

Printed Name: James R. Troxel

Title: Inventor

300217

50847-155
Recd
P.M
PTD

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,797	11/26/2003	Greg T. Stayton	50847.00155	8233
7590	11/04/2004			EXAMINER
Squire, Sanders & Dempsey L.L.P. Two Renaissance Square Suite 2700 40 North Central Avenue Phoenix, AZ 85004-4498			ART UNIT	PAPER NUMBER

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

NOV 2004
I/P
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FOR



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231 **PATENT & TRADEMARK OFFICE**
MAILED

EX PARTE: STAYTON, ET AL..

NOV - 4 2004

SERIAL NO.: 10/722,797

FILED: 11/26/03

TITLE: FORMATION SURVEILLANCE AND COLLISION AVOIDANCE **LICENSING & REVIEW**

Receipt is acknowledged of the statement filed 11/25/04 under the provisions of:
 Section 152 of the Atomic Energy Act, 42 U.S.C. 2182, as amended.

Section 305(c) of the National Aeronautics and Space Act, 42 U.S.C. 2457.

THE STATEMENT IS INSUFFICIENT SINCE:

It is not in the form of an oath or a declaration (as provided by 37 CFR 1.68).

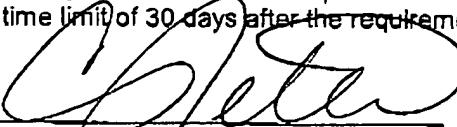
It fails to set forth the "full facts" surrounding the making and conception of the invention as required by the Act. The full facts should include whether the invention was made and conceived during working hours of an employer's, or on the inventor's own time, using his/her employer's own funds, facilities, materials and services.

In addition to setting forth the full facts concerning the circumstances under which the invention was made, a general averment in accordance with the statutory requirements was not recited setting forth the contractual relationship (if any) with either DOE and/or NASA.

The section required the statement be executed by "applicant" and this is construed in accordance with patent statutes as meaning the person or persons who may apply for a patent. It is noted that this includes all joint inventors if the invention is joint, unless deceased, incompetent or unavailable within the meaning of 37 CFR 1.47. If a statement by someone in place of the unavailable inventor(s) is to be accepted, the same proofs, information and assignment called for by 37 CFR 1.47 (b) should be furnished, including the inventor's last known address. This has not been done.

Other: ALL APPLICANTS MUST SIGN STATEMENT. PLEASE SUBMIT
 SUPPLEMENTAL STATEMENT.

This application will be reached in about thirty (30) days for consideration of the need to call it to the attention of the Commissioner for the purpose of formally requesting a statement under said section, unless a supplemental statement is voluntarily filed in the meantime. Should it be necessary to issue a formal requirement for the statement, no provision is found for extension of the time limit of 30 days after the requirement is made.


 Licensing and Review
 Special Laws Administration Group
 (703) 305-0241
 11/04/04

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS
 MATTER TO THE ATTENTION OF LICENSING AND REVIEW

**SQUIRE
SANDERS**

LEGAL
COUNSEL
WORLDWIDE

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If Problems:

December 7, 2004

PLEASE DELIVER THESE PAGES IMMEDIATELY

Number of Pages (including cover). 6

To: **Ms. Jeter**
Licensing and Review

FAX No.: (703) 305-6384

COMPANY: U.S. Patent and Trademark Office

PHONE NO.: (703) 305-0241

FROM: Lisa A. Mansur, Paralegal

DIRECT DIAL NO.: +1.602.528.4811

E-MAIL: lmansur@ssd.com

RE: U.S. Patent Application No. 10/722,797

Filing Date: November 26, 2003

Inventor(s): Stayton et al.

Title: FORMATION SURVEILLANCE AND COLLISION AVOIDANCE

Our Ref.: 50847.00155

Message: Dear Ms. Jeter:

Further to our recent telephone conversation, I have attached a copy of the following documents for filing in the U.S. Patent and Trademark Office:

- Transmittal of Declaration
- Declaration Pursuant to 42 U.S.C. § 2457
- Copy of the Office Communication mailed November 4, 2004

Pursuant to 37 C.F.R. § 8, the original documents are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Licensing and Review.

Date: December 7, 2004

By Lisa Mansur
Lisa Mansur

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Sender No.: 08414

50847.00155

Lisa Mansur

Account No.

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*** ACTIVITY REPORT - ***

RECEPTION OK

TX/RX NO.	4177
CONNECTION TEL	602 253 8129
CONNECTION ID	Squire Sanders 0
START TIME	12/07 12:10
USAGE TIME	01'53
PAGES	6
RESULT	OK